

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 1579-548

C# M#

HAYNES et al

TC/A.U.

1648

Serial No. 09/775,805

Examiner: Stucker, J.

Filed: February 5, 2001

Date: July 15, 2004

Title: HUMAN IMMUNODEFICIENCY VIRUS VACCINE



3/A 92

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST UNDER RULE 312

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$ 86.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00) \$ 0.00

☐ Please enter the previously unentered , filed

☐ Submission attached

Subtotal \$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
MJW:tat

NIXON & VANDERHYE P.C.

By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Ref.: 1579-548

In re PATENT APPLICATION OF

Confirmation No.: 4002

HAYNES et al

Allowed: June 21, 2004

Serial No.: 09/775,805

Group Art Unit: 1648

Filed: February 5, 2001

Examiner: Stucker, J.

For: HUMAN IMMUNODEFICIENCY VIRUS VACCINE

* * * * *

July 15, 2004

REQUEST UNDER RULE 312

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner is requested to initial and return the PTO-1449 Form submitted June 16, 2004. A copy of the June 16, 2004 Information Disclosure Statement is attached (reference copies are not included here), together with the postcard receipt evidencing the filing.

Respectfully submitted,

NIXON & VANDERHYE, P.C.

By

Mary J. Wilson

Mary J. Wilson
Reg. No. 32,955

MJW:tat

1100 North Glebe Road
8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 1579-548

C# M#

HAYNES et al

JUL 15 2004

TC/A.U.

1648

Serial No. 09/775,805

Examiner: Stucker, J.

Filed: February 5, 2001

Date: June 16, 2004

Title: HUMAN IMMUNODEFICIENCY VIRUS VACCINE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

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Other: 0.00

TOTAL FEE ENCLOSED \$ 0.00

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NIXON & VANDERHYE P.C.
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Confirmation No. 4002

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Atty. Ref.: 1579-548

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For: HUMAN IMMUNODEFICIENCY VIRUS VACCINE

* * * * *

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

June 16, 2004

Sir:

INFORMATION DISCLOSURE STATEMENT

- ☒ 1. **PTO-1449 Pursuant to 37 CFR 1.97(b)**
[within 3 months of filing or prior to 1st Office Action on the merits]
N/C
- ☐ 2.(a) **Statement Pursuant to 37 CFR 1.97(c)**
[before Final Office Action or Allowance (requires Rule 97(e)
Statement or Rule 17(p) fee)]
N/C
- ☐ 2.(b) **Fee Payment Pursuant to 37 CFR 1.97(c)**
[before Final Office Action or Allowance (requires Rule 97(e)
Statement or Rule 17(p) fee)]
\$180.00
- ☐ 3. **Pursuant to 37 CFR 1.97(d)**
[after Final Office Action or Allowance (requires Rule 97(e)
Statement and Rule 17(p) fee), but before final fee payment]
\$180.00

The following are submitted in the above-identified application in compliance with
37 C.F.R. §§ 1.97 and 1.98:

- ☒ 4. A list of documents on Form PTO-1449 together with copies of each
identified document and a translation or a concise explanation of
each non-English language document (such as a Search Report) is
enclosed herewith.

This paper is submitted in accordance with:

- ☒ 5. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
- ☐ 6. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and
 - ☐ a) The required Statement made in item 8 below; or
 - ☐ b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.
- ☐ 7. 37 CFR §1.97(d): [after Final Office Action or Allowance (requires Rule 97(e) Statement and Rule 17(p) fee), but before final fee payment]; and
 - ☐ a) The fee (\$180.00) required by 37 CFR §1.17(p) is submitted herewith; and
 - ☐ b) The required Statement is stated in item 8 below.
- ☐ 8. Statement under 37 CFR 1.97(e)
 - ☐ a) The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or
 - ☐ b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☒ 9. Please charge all deficiency fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

HAYNES et al
Serial No. 09/775,805
June 16, 2004

Respectfully submitted,
NIXON & VANDERHYE P.C.

By: Mary J. Wilson
Mary J. Wilson
Reg. No. 32,955

1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

**INFORMATION DISCLOSURE
CITATION**

ATTY. DOCKET NO.

SERIAL NO.

1579-548

09/775,805

APPLICANT

HAYNES et al

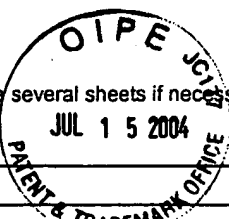
FILING DATE

GROUP

February 5, 2001

1648

(Use several sheets if necessary)


U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
WO 91/04051	4/1991	WIPO			
WO 00/52040	9/2000	WIPO			
WO 02/20555	3/2002	WIPO			
WO 02/069691	9/2002	WIPO			
WO 01/43693	6/2001	WIPO			
WO 01/54719	8/2001	WIPO			

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

	Novitsky et al, "Identification of Human Immunodeficiency Virus Type 1 Subtype C Gag-, Tat-, Rev-, and Nef-Specific Elispot-Based Cytotoxic T-Lymphocyte Responses for AIDS Vaccine Design", Journal of Virology 75(19):9210-9228 (2001)
	Wilson et al, "Identification and Antigenicity of Broadly Cross-Reactive and Conserved Human Immunodeficiency Virus Type 1-Derived Helper T-Lymphocyte Epitopes", Journal of Virology 75(9):4195-4207 (2001)
	Hinkula et al, "Epitope Mapping of the HIV-1 gag Region with Monoclonal Antibodies", Molecular Immunology 27(5):395-403 (1990)
	Michel et al, "HIV-1 Env, Nef, and Gag-specific T-Cell Immunity in Mice: Conserved Epitopes in NefP27 and Gag P25 Proteins", AIDS Research and Human Retroviruses 8(4):469-478 (1992)
	Mills et al, "HIV p24-specific Helper T Cell Clones from Immunized Primates Recognize Highly Conserved Regions of HIV-1", J. Immunol. 144:1677-1683 (1990)
	Nixon et al, "HIV-1 gag-specific Cytotoxic T Lymphocytes Defined with Recombinant Vaccinia Virus and Synthetic Peptides", Nature 336:484-487 (1988)
	Baier et al, "HIV Suppression by Interleukin-16", Nature 378:563 (1995)
	Goulder et al, "Novel, Cross-Restricted, Conserved, and Immunodominant Cytotoxic T Lymphocyte Epitopes in Slow Progressors in HIV Type I Infection", AIDS Research and Human Retroviruses 12(18):1691-1698 (1996)

*Examiner

Date Considered

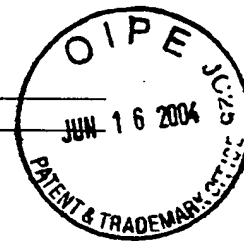
aminer: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include of this form with next communication to application.

Form PTO-FB-A820 (Also PTO-1449)



Serial No.: 09/775,805
Applicant: HAYNES et al
Title: HUMAN IMMUNODEFICIENCY
VIRUS VACCINE
Atty: MSW
Date: 6-16-2004
Client: DUKE UNIV.
Ref: 1579-548

____ Amendment
____ Pages Specification
____ Claims
____ Sheets Drawings: Formal _____
Informal _____
____ Declaration (_____ Pages)
____ Assignment
____ Priority Document
____ Base Issue Fee Transmittal
____ Fee (Check)



Other: IDS + PTD-1449 FORM (IN DUPL.) +
REFS.